

REMARKS

Claims 1 through 12 are pending in this application.

Claims 1 through 12 stand rejected.

In the following, the Examiner's comments are included in bold, indented type, followed by the Applicant's remarks:

4. Claims 1-12 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Claims 1-12 recite computer algorithms, which are not enable one having ordinary skill in the art to make and use the invention.

Applicant respectfully asserts that the Examiner has not established that he has “a reasonable basis for questioning the adequacy of the disclosure to enable a person of ordinary skill in the art to make and use the claimed invention without resorting to *undue experimentation*.” MPEP § 2106.01 (emphasis in original). In particular, the Examiner has not presented “a factual analysis of [the] disclosure to show that a person skilled in the art would not be able to make and use the claimed invention without resorting to undue experimentation.” MPEP § 2106.02.

In any case, Applicant respectfully disagrees. The claimed subject matter is generally described in the specification as originally filed on page 6, line 19 through page 8, line 15, which includes pseudocode (page 7, line 23 through page 8, line 12), and in Figs. 4, 5 and 6. An example is provided on page 8, lines 24-32 and Figs. 7, 8 and 9. An example SQL implementation flow for the string clustering technique is provided in Table 1 on page 9. Claims 1-12 are enabled because a person of ordinary skill in the art would know how to make and/or use the claimed invention based on these passages and the other material in the specification.

6. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The preamble of claim 1 “A method for clustering a string” does not set forth a posed task to be accomplished in the body of the claim. The applicant is suggested to amend the preamble to read as “A method for clustering a plurality of strings into partitions of potentially similar strings”. (see 37 CFR 1.75(d)(1).

AMENDMENTS TO THE DRAWINGS

As per the Drawings, the Examiner writes:

2. Applicants are required to furnish the formal drawings in response this office action. No new matter may be introduced in the required drawing. Failure to timely submit a drawing will result in ABANDONMENT of the application.

Applicant notes that the Office has not objected to the drawings submitted with the original application. The drawings submitted with the original application will serve as formal drawings.

The dependent claims 2-12 suffer of similar deficiencies of their respective base claims, as noted above.

Applicant respectfully disagrees. Applicant is unaware of a requirement under the patent laws or the rules promulgated by the Office that the preamble "set forth a posed task to be accomplished in the body of the claim." Consequently, Applicant declines the invitation to amend the preamble of claims 1-12 as suggested.

Applicant is unable to discern any other rejections to the claims under 35 USC 112, second paragraph.

8. Claim 1 is rejected 35 U.S.C. 101 because they are directed to non-statutory subject matter, specifically, as directed to an abstract idea.

Claim 1 defines non-statutory processes because it merely manipulates an abstract idea without a claimed limitation to a practical application. Data structure not claimed as embodied in computer-readable media is descriptive material per SE and is not statutory because they are neither physical nor statutory processes. The claims do not even recite steps or means for performing any intended result. Structural and functional interrelationship with a general-purpose computer for permitting claimed functions to be realized are not provided in the claims. In contrast, a claimed system should define structural and functional interrelationships between data structures or functional parts and a computer system which permit the data functions to be realized, and is statutory. Thus, the claimed are rejected as being non-statutory.

Applicant respectfully disagrees. Claim 1 does not recite a data structure. Further, claim 1 recites statutory subject matter because it "produces a concrete, tangible and useful result." MPEP 2106.IV.B.2.(b).ii. In particular, a string submitted to the method recited in claim 1 would be associated with "a cluster associated with T_S ", "a cluster associated with the n-gram pair T_S-T_V ", "a cluster associated with the n-gram triple $T_S-T_V-T_X$ ", or with no cluster.

Additionally, the invention, as claimed, is directed to the manipulation of an abstract idea with no practical application in the technology arts. The claim sets forth a method for clustering a string. The language of the claim does not transform the claimed subject matter into statutory subject matter. Clearly, the recital is merely a field of use or desired end of use limitation. Data that are merely stored or contained in a memory (or database) are simply functional descriptive material without being executed by a general-purpose computer. Thus the claim is lack a practical application in the technological arts. Applicant is advised to amend the claim by specifying the claim being directed to a practical application and being executed by a general purpose computer in order to correct the above indicated deficiencies.

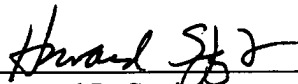
Applicant respectfully disagrees. The claimed process has practical applications in the technology arts. For example, once a claim has been associated with one of the clusters, as recited in claim 1, that string and other strings already associated with that cluster may be used in the process of "identifying and eliminating duplicate records and linking records into common groups" as described on page 2, lines 8-10 in the specification as originally filed. Such a process is useful in correcting errors and making data consistent when information is integrated from a number of sources as indicated on page 2, lines 6-8.

For these reasons, Applicant respectfully requests that the rejections of claims 1-12 be withdrawn.

SUMMARY

Applicant contends that the claims are in condition for allowance, which action is requested. Applicant does not believe any fees are necessary with the submitting of this response. Should any fees be required, Applicant requests that the fees be debited from deposit account number 50-1673.

Respectfully submitted,



Howard L. Speight
Reg. No. 37,733
Baker Botts L.L.P.
910 Louisiana
Houston, Texas 77002
Telephone: (713) 229-2057
Facsimile: (713) 229-2757
E.Mail: Howard.Speight@bakerbotts.com
ATTORNEY FOR APPLICANT

Date: November 30, 2004